

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

PETE V. DOMENICI UNITED STATES COURTHOUSE  
333 LOMAS BLVD., N.W., SUITE 660  
ALBUQUERQUE, NEW MEXICO 87102  
TELEPHONE: (505) 348-2280  
FACSIMILE: (505) 348-2285

JAMES O. BROWNING  
District Judge

April 17, 2017

**VIA CM/ECF**

Nicholas Koluncich  
Law Offices of Nicholas Koluncich LLC  
500 Marquette Ave NW, Suite 1200  
Albuquerque, New Mexico 87102

Jeffrey Louis Haberman  
Schlesinger Law Offices  
1212 SE 3rd Avenue  
Fort Lauderdale, Florida 33316

John C. Bienvenu  
Mark H Donatelli  
Reed C. Bienvenu  
The Rothstein Law Firm  
1215 Paseo de Peralta  
Santa Fe, New Mexico 87504

Jonathan Gdanski  
Scott P. Schlesinger  
Sheldon J. Schlesinger PA  
1212 SE 3rd Avenue  
Fort Lauderdale, Florida 33316

Ronald Marron  
Law Officers of Ronald A. Marron  
651 Arroyo Drive  
San Diego, California 92103

Benjamin Michael Lopatin  
Eggnatz, Lopatin & Pascucci, LLP  
2201 Market Street, Suite H  
San Francisco, California 94114

Douglas Gregory Blankinship  
Finkelstein Blankinship, Frei-Pearson &  
Garber, LLP  
1311 Mamaroneck Avenue, Suite 220  
White Plains, New York 10605

Alexander R. Safyan  
Pearson, Simon & Warshaw, LLP  
15165 Ventura Boulevard, Suite 400  
Sherman Oaks, California 91403

Kim Eleazer Richman  
Richman Law Group  
81 Prospect Street  
Brooklyn, New York 11201

Daniel L. Warshaw  
Pearson, Simon & Warshaw, LLP  
15165 Ventura Boulevard, Suite 400  
Sherman Oaks, California 91403

Nancy Ruth Long  
Long Komer & Associates, P.A.  
2200 Brothers Road  
Santa Fe, New Mexico 87502-5098

Erika E Anderson  
Law Offices of Erika E. Anderson  
201 3rd Street, NW, Suite 500  
Albuquerque, New Mexico 87102

Counsel of Record

In Re: Santa Fe Natural Tobacco Company Marketing and Sales Litigation,

No. MD 16-2695 JB/LF

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John Allen Yanchunis, Sr.  
Keith R. Mitnik  
Marisa Kendra Glassman  
Morgan & Morgan, PA  
201 N Franklin Street, Floor 7  
Tampa, Florida 33602-5157

Scott Wm. Weinstein  
Morgan & Morgan, PA  
12800 University Drive - Ste 600  
Ft. Myers, Florida 33906

Steven William Tepler  
Abbott Law Group, P.A.  
2929 Plummer Cove Road  
Jacksonville, Florida 32223

Andrew G. Schultz  
Rodey, Dickason, Sloan, Akin & Robb, P. A.  
201 3rd Street NW, Suite 2200  
Albuquerque, New Mexico 87102

Charles R.A. Morse  
Jones Day (NYC)  
222 East 41st Street  
New York, New York 10017

David Craig Kiernan  
Jones Day  
555 California Street, 26th Floor  
San Francisco, California 94104

David M. Monde  
Michael F. Stoer  
Jones Day  
1420 Peachtree Street, Suite 800  
Atlanta, Georgia 30309

Noel J Francisco  
Peter J. Biersteker  
Jones Day  
51 Louisiana Avenue, NW  
Washington, DC 20001-2113

Paul Courtney Huck, Jr.  
Jones Day  
600 Brickell Avenue, Suite 3300  
Miami, Florida 33131

Troy A. Fuhrman  
Hill Ward Henderson, PA  
101 E Kennedy Blvd - Ste 3700  
Tampa, Florida 33602-5195

John-Russell Bart Pate  
J.R. Pate, PC - Law Office  
P.O. Box 890  
Royal Dane Mall 10-AA  
St. Thomas, Virgin Islands 00804

Chad C. Messier  
Dudley Topper & Feuerzeig  
1000 Frederiksberg Gade  
P.O. Box 756  
St. Thomas, Virgin Islands 00804

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No. MD 16-2695 JB/LF

Counsel:

I want to bring one matter to your attention. I have, with my law clerks, reviewed the Judicial Code of Conduct and do not believe this matter requires me to recuse myself. I want everyone, however, to be fully informed about and comfortable with my participation in the case.

Counsel of Record

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No. MDL 16-MD-2695 JB/LF

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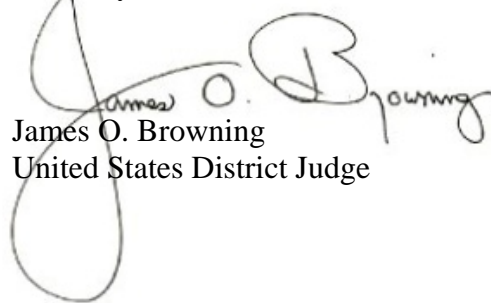
As you will recall, in my May 10, 2016, disclosure letter to you, I mentioned that, in the Fall of 2015, I taught a class at the University of New Mexico School of Law on "Church and State." I co-taught with Andy Schultz. We have taught the class in four prior years together. I taught similar classes with Mr. Schultz from January until May 2010 and 2012, and in the fall of 2006.

Mr. Schultz and UNM have asked me to teach the class again in the Fall. We usually have to meet once before the semester begins to discuss mechanics. We usually have to meet after the semester to grade the papers. We usually also invite the students to one of our homes for the last class, food, and refreshments.

As I told you in my May 10, 2016, disclosure letter, if anyone objects, I will not teach this semester. Please call my Courtroom Deputy Clerk, K'Aun Wild (505-348-2289), if anyone objects. Again, I have instructed Ms. Wild not to tell me who calls. I believe that I can be fair and impartial even if I teach with Mr. Schultz. If, however, anyone has any questions or concerns, call Ms. Wild. If Ms. Wild does not receive any calls, I will proceed to teach in the Fall.

Best regards.

Sincerely,

A handwritten signature in black ink, appearing to read "James O. Browning". The signature is stylized with a large, looping "J" and a cursive "B".

James O. Browning  
United States District Judge